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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/027,065	12/21/2001	Duane C. Johnson	RA 5357 (740.305-US-01)	9761

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EXAMINER

NGUYEN, MATTHEW VAN

ART UNIT

PAPER NUMBER

2838

DATE MAILED: 08/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/027,065

Applicant(s)

JOHNSON, DUANE C.

Examiner

MATTHEW V NGUYEN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-14,16-19,21 and 22 is/are rejected.
- 7) ☒ Claim(s) 3,15 and 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 March 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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1. The disclosure should be carefully reviewed and ensure that any and all grammatical, idiomatic, and spelling or other minor errors are corrected.
2. FIGs. 2 and 3 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.
3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 2, 4-14, 16-19, 21 and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Crawford (U.S. Pat. No. 6,587,490).

With regard to claims 1, 2, 4-14, 16-19, 21 and 22, Crawford shows a power regulation circuit comprising all the claimed subject matter such as a control circuit including an operation amplifier 214 receiving first and second signals (at its two input terminals, respectively) for providing a control signal to a conductive

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device including an FET transistor 210 based on the difference between the first and second signals (see Fig. 2).

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 4, 6-14, 16, 18, 19 and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Murphy (U.S. Pat. No. 4,008,418).

With regard to claims 1, 2, 4, 6-14, 16, 18, 19 and 21, Murphy discloses a power regulation circuit comprising all the claimed subject matter such as a control circuit including an operation amplifier 30 receiving first and second signals (at its two input terminals 26, 24, respectively) for providing a control signal to a conductive device including a transistor (Q8 or Q9) based on the difference between the first and second signals (see Figs. 2, 3).

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 5, 17 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murphy.

With regard to claims 5, 17 and 22, Murphy discloses a power regulation circuit comprising all the claimed subject matter as discussed above, except for the

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transistor being an FET (in Murphy, the transistor is a npn transistor). It would have been obvious to one having ordinary skill in the art at the time the invention was made to replace the npn transistor of Murphy with the FET transistor because of their equivalence, and the selection of any these known transistor types would be within the level of ordinary skill in the art (also see Jansen, U.S. Pat. No. 5,828,204, or Connell et al., U.S. Pat. No. 6,441,594, in which FET transistor is used as a conductive device in a power regulation apparatus).

6. Claims 3, 15 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

None of prior art of record taken alone or in combination shows a control circuit that comprises first, second and third conversion devices which provide digital representations, and more details as claimed in claims 3, 15 and 20.

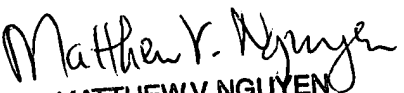
7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Goder (U.S. Pat. No. 5,770,940) and Khouri et al. (U.S. Pat. No. 6,559,627) also disclose power regulating devices each of which comprises substantial elements as recited in the claims of the instant application.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew V. Nguyen whose telephone number is (703) 305-3415.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-1782.


MATTHEW V. NGUYEN
PRIMARY EXAMINER